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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,487	11/13/2000	Rudy G Bonefas	003636.0098	4562

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01/19/2005

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/709,487

Applicant(s)

BONEFAS ET AL.

Examiner

Benjamin R Bruckart

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 December 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☒ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: Claim 1 is amended and would require further search and consideration.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-30,56-66 and 86.

Claim(s) withdrawn from consideration: 31-55 and 67-85.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet

Continuation of 10. Other: 09/709,487 After Final response

Claims 1-30, 56-66, 86 are pending.

Claims 31-55, 67-85 are withdrawn but MUST be cancelled.
Applicant still has not cancelled claims directed to a non-elected invention.

With regards to claims 1-6, 8-18, 23-27, 30, 56-66, 86,

Applicant argues the Jamtgaard reference does not teach a session manager examining data content from communications of a device and a content provider to change characteristics associated with a translator and a transformer based on the session manager' examination of the data content and extracted information from a message.

The examiner respectfully submits:

The Jamtgaard reference teaches a content delivery system just like the claimed "system for deploying content." Applicant highlights the session manager limitation of claim 1 and argues the newly amended limitation. Because claim 1 is amended and contains limitations that require further search and consideration. The examiner maintains the rejection with regards to the session manager because Jamtgaard col. 5, lines 27-53 illustrate the interaction of session data (Jamtgaard: col. 5, lines 39-40) between a device (Jamtgaard: col. 5, lines 37-40) and a web page with content (Jamtgaard: col. 5, lines 34-36). Further col. 5, lines 47-53 show a persistent session is maintained between the device and content provider. The session handler is further taught in the appliance connection handler which handles the session with each telecom device and performs the functions as establish the sessions, determine state information of the devices, synchronize the devices, and determine browser and protocol information (col. 7, lines 31-47).

Applicant argues the Jamtgaard reference does not examining data content and that the protocol and class of device are constants for communications.

The examiner respectfully submits:

The Jamtgaard does teach examining data content communicated between devices and a content provider. Applicant argues certain aspects of data content requirements to be dynamic but those limitations are not present in the claim language.

The application session handler brokers and controls the information exchange between the devices and the content provider. The applicant session handler translates the pages using the XML engine and layout engine for each device. The session manager determines state information of the devices, browser and protocol information of the devices. This information is used to translate or covert the data for the device. The application session handler using the XML engine to process the data for the devices. These steps require examination of the content for translation and conversion for the appropriate devices. Col. 8, lines 4-24 show the processing of content for each device. The invention shows many devices (Figure 1) that request data to be translated for.

With regards to claims 7, 28 and 29,

Applicant argues a copy of the provisional application must be supplied and formally cited.

The examiner respectfully submits:

MPEP 7.82.02 Copy of Provisional Application(s) Relied Upon for Prior Art Effect May Not Be Supplied

If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the Office action was mailed. Should applicant desire a copy of such a provisional application, applicant should promptly request the copy from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

Applicant has been given the provisional application for U.S. Publication 2002/0002602 by Vange et al and the examiner has also cited the relevant portions of the Publication.

With regards to claim 18-22,

Applicant relies on arguments for claim 9 as not teaching the parent claim and Nielson as a nonsensical combination for the 103 rejection.

Regarding claim 18,

The Jamtgaard reference teaches the method according to claim 9, receiving, translating, and providing data with style sheets and XML (col. 7, lines 48-col. 8, line 3).

The Jamtgaard reference does not explicitly disclose style sheets applied independently to the second data.

The Nielson reference teaches at least two style sheets are selected and applied independently to the second data (Nielson: col. 7, lines 31-36).

The Nielson reference further teaches the invention extends the capabilities of style sheets adding additional functionality and a much more pleasing and semantically consistent presentation for the user (Nielson: col. 1, lines 54-57; col. 8, lines 28, 29).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of receiving, translating, and providing data to a content provider as taught by Jamtgaard while employing two or more style sheets as taught by Nielson in order to extend the capabilities of style sheets and make a more pleasing presentation to the user (Nielson: col. 1, lines 54-57; col. 8, lines 28, 29).


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SUPERVISORY PATENT EXAMINER